

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

10 FLORENCE WAIT,) No. CV-04-3140-MWL
11 Plaintiff,) ORDER GRANTING JOINT
12 vs.) MOTION FOR ORDER OF REMAND
13)
14 JO ANNE B. BARNHART,)
Commissioner of Social)
Security,)
15)
Defendant.)
16 _____)

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18 The Court has considered the joint motion of the parties for
19 an order of remand.

20 **IT IS ORDERED** that this case be remanded to the Commissioner
21 for calculation of benefits with an onset date of January 28, 2002
22 under Title XVI the Social Security Act. This calculation of
23 benefits will be based on Plaintiff's application for Supplemental
24 Security Income benefits protectively filed on January 28, 2002.

25 This remand is pursuant to sentence four of 42 U.S.C. §
26 405(g). Upon proper presentation, this Court will consider
27 Plaintiff's application for costs and attorney's fees under 28
28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

1 Judgment shall be entered for Plaintiff and the file **CLOSED**.
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4 DATED this 26th day of July, 2005.
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7 s/ Michael W. Leavitt
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10 MICHAEL W. LEAVITT
11 UNITED STATES MAGISTRATE JUDGE
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14 Presented by:
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